



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 02-272-D)

In re Application for Reissue of:)
)
U.S. Patent No. 6,336,748)
)
Inventor: Johnson et al.)
)
Serial No.: TBD) Examiner: TBD
)
For: Shaft Locking Device for) Group Art Unit: TBD
Bearing Assemblies)

REISSUE APPLICATION DECLARATION BY THE ASSIGNEE

Mail Stop REISSUE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

I hereby declare that:

1. My residence, mailing address, and citizenship are as stated below next to my name. I am authorized to act on behalf of the following assignee: Emerson Power Transmission Manufacturing, L.P., Maysville, KY (US).
2. The entire title to the patent identified below is vested in said assignee.

Name of Patentees:

James P. Johnson
Eric Puleo
Kevin Feerick

U.S. Patent No: 6,336,748 ("the '748 patent"), issued January 8, 2002, entitled "Shaft Locking Device for Bearing Assemblies."

3. I believe said patentees to be the original, first, and sole/joint inventors of the subject matter that is described and claimed in the '748 patent for which a reissue patent

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is sought on the invention entitled "Shaft Locking Device for Bearing Assemblies," the specification of which is attached hereto.

2. I have reviewed and understand the contents of the above-identified specification, including the claims, as well as the Preliminary Amendment filed concurrently herewith.
3. I acknowledge the duty to disclose information that is material to patentability as defined in 37 C.F.R. § 1.56.
4. I verily believe the original '608 patent to be wholly or partly inoperative by reason of a defective specification or drawing.
5. At least one error upon which reissue is based is described as follows.

The original '748 patent was a divisional application of U.S. Patent Application Ser. No. 09/235,691, filed Jan. 22, 1999, now U.S. Pat. No. 6,200,039 ("the '691 application"), and properly claimed priority to the '691 application. The '691 application, in turn, was a divisional application of U.S. Patent Application Ser. No. 08/798,284, filed on Feb. 7, 1997, now U.S. Pat. No. 5,863,137 ("the '284 application") (see Attachment A), and properly claimed priority to the '284 application. The '748 patent, however, erroneously failed to claim priority to the '284 application. Instead, the '748 patent only claimed priority to the '691 application, and the '691 application, in turn, claimed priority to the '284 application. The '691 application was copending with the '284 application.

Under MPEP § 1402, Applicants' failure to make reference to or incorrect reference to prior copending applications is grounds for filing a reissue application. Thus, Applicants' failure in the '748 patent to make reference to or correctly reference the '284 application is a proper basis for filing a reissue application. Applicants hereby submit a corrected claim for benefit of priority in the '748 patent to the '284 application, filed on February 7, 1997.

7. All errors that are being corrected in the present reissue application up to the time of filing of the declaration arose without any deceptive intention on the part of the applicant.

8. I hereby appoint the practitioners associated with the Customer Number provided below to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and I direct that all correspondence be addressed to that Customer Number.

Customer Number: **020306**

Principal attorney or agent: Eric R. Moran, Reg. No. 50,967

Telephone number: 312-913-0001

9. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.

Full name of person signing: Robert E. Swinehart

Signature:  Date: Oct. 16, 2003

Citizenship: United States of America

Residence and Post Office Address of person signing: _____

Address of Assignee: P.O. Box 687, 1248 East Second Street, Maysville, Kentucky
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